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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GENERAL EMPLOYEES TRUST FUND  
and BOARD OF TRUSTEES OF GENERAL  
EMPLOYEES TRUST FUND,

Petitioners,

v.

AMERICAN EMPIRE BUILDING  
MAINTENANCE CORPORATION,  
a dissolved corporation, and YUL HERMES,  
an individual,

Respondents.

Case No. 14-cv-04054-NC

JOINT STATUS REPORT AND  
REQUEST FOR CONTINUANCE ;  
AND ORDER

Hearing: September 16, 2015

Time: 1:00 p.m.

Place: Telephonic

1 Petitioners General Employees Trust Fund and Board of Trustees of General Employees  
 2 Trust Fund and Respondents American Empire Building Maintenance Corporation and Yul Hermes  
 3 submit this Joint Status Report pursuant to the Court's Order of August 5, 2015. Dkt. No. 78.

4 By the Court's Order, the parties were to submit a joint status report with an update on  
 5 discovery issues by September 14, 2015. *Id.* A status hearing was set for September 16, 2015. Fact  
 6 discovery was extended to September 16, 2015. *Id.*

7 On September 9, 2015, the parties participated in mediation with a Court-appointed  
 8 mediator. Prior to the mediation, pursuant to ADR Local Rule 6-10(a), Petitioners disclosed that  
 9 the General Employees Trust Fund is governed by a Board of Trustees that has the final authority to  
 10 settle. Petitioners further disclosed that Raymond Nann, the individual Trustee who would attend  
 11 the mediation, would not have final authority to settle, but rather would have, to the greatest extent  
 12 feasible, authority to recommend a settlement to the Board of Trustees.

13 At the mediation, Respondents signed a written settlement agreement. Mr. Nann signed the  
 14 written settlement agreement and promised to recommend it to the Board of Trustees.

15 The Board of Trustees will consider the settlement at its next meeting, now scheduled for  
 16 September 21, 2015.

17 If the Board of Trustees approves the settlement, any discovery issues will be moot.

18 Accordingly, Petitioners and Respondents jointly request that the discovery report be held in  
 19 abeyance, that the telephonic status conference be continued from September 16, 2015 to a date after  
 20 September 21, 2015 that is convenient for the Court, and that the deadline for fact discovery be  
 continued until after the telephonic status conference.

21 WYLIE, McBRIDE, PLATTEN & RENNER

22 Dated: September 11, 2015 By: /s/ Diane Sidd-Champion  
 23 DIANE SIDD-CHAMPION  
 24 Attorney for Petitioners

25 COHEN AND JACOBSON, LLP

26 Dated: September 11, 2015 By: /s/ Lawrence A. Jacobson  
 27 LAWRENCE A. JACOBSON  
 28 Attorney for Respondents

## ECF CERTIFICATION

I, Diane Sidd-Champion, am the ECF User whose user ID and password are being used to file this Joint Status Report and Request for Continuance. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Lawrence A. Jacobson has concurred in this filing.

## **WYLIE, McBRIDE, PLATTEN & RENNER**

Dated: September 11, 2015

By: /s/ Diane Sidd-Champion  
DIANE SIDD-CHAMPION  
Attorney for Petitioners

## ORDER

The request to continue is granted. Status hearing is continued to September 30, 2015 at 1:00 p.m. in Courtroom D, 15th Floor, San Francisco. Fact discovery deadline is extended to September 30, 2015. Parties to file dismissal of case or discovery status report by September 23, 2015.

Dated: September 11, 2015

